(3) Standing Order No. 37 (1) (i).

To substitute the words 'fifteen clear days' for the words 'seven days' in Standing Order No. 37 (1) (i).

Resolutions on matters of general public interest.

President.—The next item of business is the resolution by Mr. K. T. Mathew.

Mr. T. K. Krishna Menon.—The Hon'ble Member is absent.

Dr. A. G. Menon.—Can any other Member move ?

President.—There is no provision for that.

Dr. A. G. Menon.—It is only for my information.

President.—We have done very little in the item of resolutions. Why is it so ? Resolutions should also be treated as important. Why is it we did not get through in resolutions ?

Dr. A. G. Menon.—The other items took precedence, as the Bill by Mr. C. A. Kunjunni Raja.

Mr. N. Padmanabha Menon.—We have some disadvantage. Some afternoons should be allotted for discussing the resolutions.

Dr. A. G. Menon.—In Madras, in order to overcome this difficulty, the Council meets at 11 instead of at 11-30 so that they get daily 30' for discussing the resolutions.

(1) An additional sluice to Kattuchria.

President.—Next item of business is the resolution tabled against Mr. O. R. Chummar.

Mr. O. R. Chummar.—There is no necessity for me to move the resolution. I want to clear one doubt. There are 3 points. Construction of the permanent bund; in future there should be no dispute between the petitioners, the Panchayat and the Superintendent as regards the maintenance of the sluice. Government should undertake the future annual maintenance.

Mr. I. Raman Menon.—That is not under the maintenance.

President.—Can you undertake to maintain it?

Mr. I Raman Menon.—The Government could not undertake.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—That is a Government *chira*, and there is no opening.

President.—It is a mud *chira*. On account of the flood of 1099, the sluice was affected, and it was not restored to its original good position.

Mr. O. R. Chummar.—I am given to understand that there will be masonry work on either side. In the monsoon it will break of its own accord, and the only thing that is to be done is to put the *chira* in the summer.

I have only to clear one doubt. It may not be necessary to move the resolution.

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President.—You don't move the resolution?

Mr. O. R. Chummar.—I want to clear one doubt. There are 3 points raised in my resolution: (1) The construction of a permanent sluice. In answer to a question it was said that it will be constructed. (2) The sluice lying open should be closed; and then the only other point that remains is (3) that in future there should be no dispute between the petitioners and the Panchayat Superintendent as regards the maintenance of the sluice. I think the Government should undertake the future annual maintenance.

President.—I think that follows.

Mr. I. Raman Menon.—That is not in the resolution.

President.—Can you undertake to maintain this *chira* out of public funds every year?

Mr. I. Raman Menon.—Interested parties must put up the *chira* and maintain it.

President.—Can the Government undertake to maintain this *chira* and spend the necessary money on that?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—*Kattu-chira* is one of the Government *chiras* and the lands are all in front.

President.—I don't know what openings are made to let off surplus water.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—That comes under maintenance.

President.—You refer to the laterite *chiras*? Here he is referring to earthen *chiras*.

Mr. O. R. Chummar.—In 1097 it was seriously affected and it was restored to its original position. It has only got mud bunds.

President.—Year after year mud *chiras* are put up. The point is till the permanent *chira* is placed on a satisfactory position, the Government should put up these mud *chiras*.

Mr. O. R. Chummar.—The sluice that is constructed is on the other side. There will be masonry work. When the sluice is opened that will have to be closed with mud every year. That is a recurring expenditure. Who will undertake that? That is the only question. This to be done in Vrischigam. Sluices are to be opened by the Panchayat.

President.—Is the Government to do it, Mr. Raman Menon, or the interested parties?

Mr. I. Raman Menon.—There is some difficulty in that part of the *chira* for the discharge of surplus water during the monsoon period. It was with that object that sanction was accorded in 1100 to make an opening and it was with that object that a proposal was submitted to the Government to make a

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provisional allotment and that work has been sanctioned and it will be undertaken this year. The Hon'ble Member wants us to commit ourselves to the responsibility of closing the breach opened in 1100. That particular breach was opened by the ryots at their cost and for which *kychits* were taken. That breach must naturally be closed by the people. Hereafter there will be three sluices to the Kattuchira. Already there are two, and the maintenance of the three sluices prevents the ingress of salt water. This will be done by the Government. But the opening which was made in 1100 has to be closed by the ryots.

Mr. O. R. Chummar.—That is already closed.

President.—There is a lot of mystery in the Kattuchira and the Members will be enlightened on the point. So, why not you move and discuss upon that?

Mr. I. Raman Menon.—Does this come under irrigation system, Sir?

President.—You better discuss.

Dr. A. G. Menon.—This comes under irrigation. We have to appoint a special officer. We may take his advice on all the irrigation systems. Till that let this matter lie over.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—This is a preventive thing.

President.—Let us have an opportunity of discussing it.

Mr. O. R. Chummar.—I rise to move the resolution that is standing in my name:—

"This Council humbly recommends to the Government of His Highness the Maharaja of Cochin that the Government should carry out the work regarding the additional sluice to Kattuchira in Padiyur Village, that the Government should maintain the sluice in the future, and that the Government should take immediate steps to prevent the ingress of salt water through the said sluice which is now lying open."

By this resolution I raise three points for the consideration of this Council. The first is that the Government should construct a permanent sluice as provided in the budget of 1103. In answer to the question I have put on the subject, the Hon'ble Member for Panchayats just now said that the Government are prepared to construct the sluice in question and that the sluice that is now lying open will be closed. If the Government will construct one sluice it does not matter whether the present one is converted into a permanent one or another sluice is constructed. All that I want is that a permanent sluice must be constructed and that the Government have undertaken to do that. The other point that is raised by this resolution is that the sluice that is now lying open must be blocked to prevent the ingress of salt water into the rice fields. The Hon'ble Member has pointed out that that work also is carried out. So the only

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question that remains for the consideration of the Council is whether the Government should in future undertake the annual maintenance of the sluice that is going to be permanently constructed. I think no argument is necessary to convince the Council of the necessity of the Government undertaking the future maintenance of the sluice. I don't know what purpose can be served if a sum of Rs. 1,500 is spent upon the construction of a permanent sluice, if the Government will not agree to maintain it in future. These sluices are automatically opened every year during the rainy season by the force of currents and in Vrischigam this has to be closed. The practice with regard to the existing sluices is to close them up in Vrischigam with mud bund. The same thing will have to be done with regard to the new sluice also. The Government should be prepared to construct it on such lines as to avoid the necessity of mud bund. If that is done I shall certainly be very glad and no further expenditure will have to be incurred every year. But if the Government are not prepared to construct it on that line and if there is a necessity of closing the sluice every year with mud bund then that expenditure must be incurred by the Government itself. Otherwise I don't see who will undertake it. There are thousands of ryots interested in the thing and we know that what is every man's business is no man's business. In fact during the last 2 years the question troubled the ryots very much.

In this connection, I will state briefly the history of this dispute. The sluice that is now lying open, that is, the existing sluice, was opened in the year 1100 with the sanction of the Superintendent of Panchayats, and 5 persons, who had put in a petition for the opening of this sluice, executed a *kychit* that they will put up a mud bund that year and that they will see to its proper maintenance, till the end of that year. They did their work in accordance with the *kychit*. But in the year 1102, that is, last year, a dispute arose as to who should put up the bund in order to prevent the ingress of salt water. The ryots refused to do it on the ground that they had undertaken it only for one year and that they have discharged their duty when they put up the bund, in the year 1101. There was a lot of correspondence between the Panchayat President and the Superintendent. I went carefully through the whole correspondence and I could only laugh at the careless manner in which the report of the Panchayat President was replied.

President.—Why should you laugh?

Mr. O. R. Chummar.—I could not find any meaning in many of those letters. For instance, when the Panchayat

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President wrote that the sluice is lying open and that it must be closed immediately, the Superintendent replied refusing sanction to open it. There are several instances of this kind. But I think it is unnecessary to point out these things at present. It is enough to say that the dispute between the President and the Superintendent dragged on till the middle of Vrischigam last year.

President.—Is it the present President or the old President?

Mr. O. R. Chummar.—It was begun in the time of the old President and it was continued by the present President, Mr. Vareed. Till the middle of Vrischigam no definite reply was obtained from the Superintendent as to whether the sluice should be closed, and if it is to be closed, who should close it. When the water became saltish, the President even sent a very urgent letter to the Superintendent requesting him to decide the matter one way or the other and that the water had already become saltish and that the matter was absolutely urgent. But the Superintendent did not care to send a reply until the President had put up the bund and the cultivation was complete and all the harvest was over. When the harvest was safely reaped he said that there was no money and that it is not necessary to close the bund. That was at the time when the winter was approaching and there was no more need of the bund.

If the Government are not prepared to maintain the sluice annually, it is useless to construct an additional permanent sluice; and as regards the necessity of this sluice, I think it is not necessary to argue because the Government have undertaken. So I appeal to the Members of this Council to support this resolution in order to recommend to the Government that they should maintain the new sluice which is going to be constructed every year by Government funds.

President.—Who seconds the resolution?

Mr. I. E. Ambooken.—I second it.

President.—I don't know whether I have understood your position clearly. You have got a laterite *chira*. Is it not the original *chira*? Is it in good order?

Mr. O. R. Chummar.—I think it is more or less satisfactory.

President.—Is it being maintained by the Government year after year so that that has nothing to do with the motion? You have got an earthen *chira* which was opened in the flood in 1099. Some opening was made in another *chira*.

Mr. O. R. Chummar.—This was purposely opened with the sanction of the Superintendent.

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President.—How many *chiras* have we to deal with?

Mr. O. R. Chummar.—There is only one long *chira*. In that *chira* two openings are existing for masonry construction. Both these openings are maintained by the Government. In Vrischigam the bund has to be put up. The new opening is going to be constructed in that same *chira*.

President.—There will be three openings,—three sluices. Your point is that, in regard to the sluice that is now going to be opened for which this Rs. 1,500 has been provided for, that should also be maintained by the Government just like the other openings. That seems to be more or less a plain affair. Mr. Raman Menon, you have got this masonry bund. It has got 2 original sluices. Government has provided Rs. 1,500, to put up an additional sluice. So they want these three sluices and then I suppose that they are necessary for irrigational purposes. Surplus water must be let off and they should not allow the salt water to enter into the paddy fields. So, if you are going to spend money for constructing this additional sluice it is for that that you have provided Rs. 1,500—whether it stands or does not stand to reason that, once the permanent construction has been made, the Government should keep it in good condition year after year. That is the question that I want to know. Why should there be a controversy in that matter?

Mr. I. Raman Menon.—There is no controversy at all. The Government have sanctioned it.

President.—Then what is it that the Government is asked to do? This has been brought as a sort of recommendation to the Government. He wants now that the additional sluice that is going to be constructed with the amount provided for should be maintained year after year by the Government. If that point is not under dispute why further discuss the resolution? Then are you satisfied, Mr. Chummar?

Mr. O. R. Chummar.—Government should accept the resolution. Government should put up the bund every year.

President.—I think it is a question of maintenance.

Mr. O. R. Chummar.—This is what I mean by maintenance. The sluice must be closed every year so that salt water must not enter the paddy fields.

President.—It is not costly. Have you got plank shutters? What kind of arrangements have you got, Mr. Raman Menon? You lose the thread of the argument. It is your resolution that is under discussion. You ought to concentrate upon that which we have been now arguing. I am now on the question of the cost of maintenance. How can this additional sluice be maintained? The maintenance consists in shutting it

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at the proper time, so that salt water should not be allowed to enter into the paddy fields. How much will it cost, Mr. Raman Menon? It only stands to reason in my opinion that if the Government can provide the necessary bunds with sluice arrangements, it becomes part of their duty to maintain it also year after year.

Mr. V. K. Aravindaksha Menon.—We are already maintaining the 2 sluices.

Mr. O. R. Chummar.—As regards the closing, whether the Government would close this also year after year?

Mr. V. K. Aravindaksha Menon.—They are already closing the 2 sluices. Where is the doubt that they will not close the additional sluice also?

Mr. C. Achyuta Menon.—The resolution is recommending something which the Government have already made up its mind to do.

Mr. O. R. Chummar.—As regards these two sluices there was dispute during the last two years. Government were refusing to close it for the last two years.

President.—He is talking about the new sluice.

Dr. A. R. Menon.—I want to make a few observations. Whether you accept them or not, it is another matter. I wish to get one or two answers. How many acres of land were benefitted by this sluice and who are the owners of the land?

Mr. V. K. Aravindaksha Menon.—Less than 200 acres.

Dr. A. R. Menon.—Will you give me an indication who the owners of the lands are?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I can give some 4 names.

Dr. A. R. Menon.—Can you give an indication as to the names of the owners of this land or those who are benefitted?

Mr. V. K. Aravindaksha Menon.—I have got the list.

Dr. A. G. Menon.—Most probably the Diwan Peishkar will be able to give us the information.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I can give some names—prominent names. I think some lands belong to Mr. Virkkey, Salt Inspector of Mukundapuram, and another gentleman, and some 3 or 4 pattadars. The owners are constantly changing. I can only mention half a dozen names

Dr. A. R. Menon.—You know everybody and every square inch.

Dr. A. G. Menon.—Are they not closed from the time of the letting of water?

Mr. M. K. Raman.—What is the use of constructing a new sluice if they do not maintain it?

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President.—Somehow or other very serious consequences are attached to this.

Mr. O. R. Chummar.—Now the present two are maintained properly. They are closed at the proper time and water is let out. The Panchayat without reference to the Government spent some money for closing the sluice. Government did not sanction it.

Mr. M. K. Raman.—That is all past history.

Mr. V. K. Aravindaksha Menon.—Government have made up its mind to put up a permanent sluice. At the proper time they will also close it.

Dr. A. R. Menon.—Are you able to give me the information? Do you think you will be able to supply the information?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—It is not quite possible to give.

Dr. A. R. Menon.—By this arrangement certain lands would be benefitted. Will you kindly let me know the owners of the land or those who are likely to be benefitted?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Can't say definitely. There are several ryots.

Dr. A. R. Menon.—But can you tell me the names of the prominent land-holders and the names of the prominent cultivators of the locality, or whether the lands are distributed among the poor as well as the rich?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I know it belongs to mostly Christian gentlemen. Ayilur Kovilakam Thampuran has also some lands.

President.—I suppose he is not in possession of them.

Dr. A. R. Menon.—I think these people have some property.

Mr. O. R. Chummar.—We have got some property.

Dr. A. R. Menon.—That is what I want to find out.

President.—In fact Mr. Chummar knows about it. But I just wanted to know the situation. The Panchayat President is none other than his own brother.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I may also say one thing from an official report that I have just received. I had a petition. I asked my Tahsildar to enquire and report about it. He says there is nothing there and everything is going on well.

President.—How much have we to spend year after year for maintenance of this new sluice?

Mr. I. Raman Menon.—It may be about Rs. 50. We have to spend Rs. 200 for the whole Kattuchira.

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President.—For the other two openings how much do you spend ?

Mr. O. R. Chummar.—Rs. 120 is the budget provision for the two sluices.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—There is the printed list. A reference may be made to it.

Mr. O. R. Chummar.—This may cost in the same proportion.

President.—But I think the point is not open to doubt that the Government must maintain this also.

Mr. V. K. Aravindaksha Menon.—There is no meaning in doubting whether the new sluice will not be maintained by them.

Mr. O. R. Chummar.—You can simply say that it will be maintained.

Dr. A. R. Menon.—I had an occasion to raise an objection on the method of keeping these things. I get now an occasion in connection with this resolution to know that they keep these things without levying taxes upon land-holders themselves. Why should I pay money to keep other people's lands ?

Dr. A. G. Menon.—We are taxed in the Chittur Taluk.

Dr. A. R. Menon.—And the Government spend money for the sake of other people's lands !

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I shall give you some useful information.

President.—The thing is, even though the Government are willing to spend money they on their part have serious objections. That is the position.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—What does this resolution aim at ? When it is a question of taxation, it becomes a big question. In regard to this particular Kattuchira I can only say one thing. True it is a question of expenditure. But this work is a protective one, that is, it prevents salt water from getting into the paddy fields. According to our Settlement Proclamation, wherever Government have provided for such protective works, the lands benefitted are all placed in higher groups, and in fixing the assessment we have also taken into consideration the fact that the Government are spending some money in maintaining them. So higher assessment is levied. Hence the question of taxation does not now arise particularly with reference to them. The same is the case with Chittur Taluk, where we are no doubt levying water-cess on new conversion of *parambas* into *nilams*.

Dr. A. G. Menon.—You are levying a higher rate.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—We are no doubt levying water-tax. We are not levying water-tax on

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lands placed in the first group which are classified as *nilams*. We are charging water-tax on lands not classified as *nilams*. According to our Settlement principles, the rates of assessment of *nilams* and *parambas* have been settled. For *parambas* we charge only dry rates. We have got Government water. We are bound to supply Government water only to those lands under the irrigation systems and for which we have charged *nilam* rates of assessment.

Dr. A. G. Menon.—You are not doing properly.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—That is a different question. In the case of *parambas*, in fixing the rates of assessment, we have not taken into consideration the question of supply of water. When we have surplus water, we negotiate with the owners of *parambas*. It is only a matter of negotiation, and they agree to pay and when we don't supply water we won't levy water-tax. That is a practice that cropped up subsequent to the Settlement and that has nothing to do with the general Land Revenue Settlement. Water-tax in the Chittur Taluk came into existence only after the Settlement, and that has reference only to *parambas* and not to *nilams*.

Dr. A. G. Menon.—On a point of order, Sir.

You give water to the *parambas* and you say you don't tax for the water given. You collect prohibitory tax.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—The Member for Tattamangalam has not quite caught the gist of my statement. I shall explain once more. Take the case of a particular pattadar, who has got *parambas*. He has every right to cultivate his lands in the way he chooses. If he were to convert the *parambas* into *nilams*, he may want our water. He puts in an application. We consider his application. We see whether we can, without prejudice to the permanent ayacut of the system, supply him with water and if so then we enter into an agreement with him. In some places they do the conversion and then without getting the permission of the Government they go and take the water. That is what is known as unauthorisedly taking water. If only an application is sent in time, we enquire into it and then we enter into an agreement (take registered *kychits*) and then we supply them with water if available. In years of drought when we are unable to supply with water, we always remit the water-cess on those *parambas*. There are cases of small patches of *parambas*, which the ryots convert into *nilams*, and they take water without our permission. In the interests of the other ryots to whom we are bound to supply water, especially to these lands which yield more, we cannot give free. There is a rule issued by the Government that penal rates of

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tax at double the contract rates should be charged, and that is just a sort of prohibiting water-cess.

Dr. A. G. Menon.—What is the term of the contract? You may get from your office. In case we don't give water-tax we are compelled to give prohibitory tax. That is the contract that the Government enters with the tenants.

(The House rose for lunch at 2 p. m. and re-assembled at 3 p. m. with M. R. Ry. V. K. Kochunni Menon Avl., B. A., B. L., M. L. C. (Ernakulam), Deputy President in the Chair).

Deputy President.—We will now go on with the discussion of the resolution.

Mr. N. Padmanabha Menon.—I want some information on the point. At whose instance was the present opening made? There was an opening just now closed.

Mr. I. Raman Menon.—At the instance of one O. R. Thomas and others.

Mr. N. Padmanabha Menon.—How many persons approximately?

Mr. I. Raman Menon.—About 5 or 6 persons?

Mr. N. Padmanabha Menon.—Was any undertaking asked for that they would maintain the sluice?

Mr. I. Raman Menon.—Sanction was accorded in 1100 on the understanding that they would close the *chira* at the end of the season.

Mr. N. Padmanabha Menon.—Were these condition entered in the *kychit*? Is it for that year only or as long as th sluice is necessary?

Mr. I. Raman Menon.—That referred only to that particular year.

Mr. O. R. Chummar.—Putting up of the bund was done in 1101.

Mr. N. Padmanabha Menon.—Is there any special reason for not taking *kychit* in the next year?

Mr. I. Raman Menon.—No sanction was applied for.

Mr. N. Padmanabha Menon.—Is it because the sluic[e] was then unnecessary?

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Mr. I. Raman Menon.—I have no information.

Mr. O. R. Chummar.—The President of the Panchayat applied for sanction. No reply was given and, by the time the final reply was sent, the whole thing was over.

Mr. N. Padmanabha Menon.—Was an application made for the execution of a new *kychit* on the lines of the old *kychit*?

Mr. O. R. Chummar.—No demand was made for the new *kychit*.

Mr. I. Raman Menon.—There was no application for sanction in 1101.

Mr. O. R. Chummar.—Shall I refer to the letter of the Panchayat President?

Mr. N. Padmanabha Menon.—By whom was it opened?

Mr. O. R. Chummar.—It was not opened by anybody. It was opened by the current.

Mr. N. Padmanabha Menon.—I was told there were only 5 or 6 persons. Is it because they are the only interested people in the matter?

Mr. I. Raman Menon.—So far as I have been able to understand Mr. O. R. Thomas is one of the most prominent persons in the locality. I inspected the locality along with Mr. Thomas and I found that the crops adjoining the sluice were suffering very much owing to the water that was rising over the additional opening.

Mr. N. Padmanabha Menon.—Were other tenants consulted in the matter by the Government?

Mr. I. Raman Menon.—Yes, Sir.

Mr. N. Padmanabha Menon.—About how many persons does it affect?

Mr. O. R. Chummar.—Hundreds of tenants are affected.

Mr. I. Raman Menon.—I was waiting for the reply from the Government to see what the attitude of the Government was. All the facts have already been placed before the Government. A number of questions were asked by the Hon'ble Member for

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Vellarappalli. In Karkadagam 1100, a few of the ryots interested in the lands and benefitted by the *chira* applied for an additional opening on the ground that their crops were submerged. The matter was referred to the Panchayat and the Panchayat recommended for an additional opening. In the absence of an opening, it was found that the crops were affected and sanction was accorded to make an opening on the understanding that the ryots would close up the breach at the end of the season and the matter was closed that year. In 1101 there was no sanction for making an opening. But the question of closing the breach came up for consideration, because this opening also had to be closed, as otherwise salt water would get in if it is not closed. So the Panchayat moved the Government and funds were advanced to the Panchayat for the maintenance of the *chira* and probably the Panchayat utilised a portion of the fund. They might have required some additional amount for closing this breach and they applied for additional allotment. This allotment was refused in 1102.

Dr. A. R. Menon.—You say it is a breach to be closed by the parties concerned?

Mr. I. Raman Menon.—Yes, Sir.

Dr. A. R. Menon.—You say now that the Panchayat undertook the work. Your first statement was that the breach is to be closed by the parties interested. Now you say that the Panchayat undertook to do the work. Is there any specification that it is only for 1101? Is it made mention of in the *kychit* that this work will be closed only in 1101?

Mr. O. R. Chummar.—Shall I read the *kychit*?

കൃഷി പഞ്ചായത്ത സൂപ്രണ്ടെണ്ട അവർകളുടെ വ.വ-ഫ.വ-ഫ൦൧ ൽ ബി൧ൻ൪-൨൦ നമ്പർ ഓർഡർ പ്രകാരം കെട്ടുചൊറയിൽ പുതുതായി തുറക്കപ്പെട്ട കഴുക ഈ കൊല്ലത്തെ കൃഷിയുടെ ആവശ്യാർത്ഥം പഞ്ചായത്തകാരുടെ ഉപദേശമനുസരിച്ചു ഈ മാസം ൩൦-൨൦ നു-ക്കകമൊ ആവശ്യമായി വരുന്ന സമയത്തൊ ഞങ്ങൾ കെട്ടികൊള്ളാമെന്നും ഞങ്ങളുടെ ഉപേക്ഷയിന്മെൽ കെട്ടാതെയൊ മറ്റൊ കൃഷിക്കാക്ക വല്ല നഷ്ടത്തിനും ഇടയാകുന്നപക്ഷം ഞവ മ്പെണ്ടിൽനിന്നു നിശ്ചയിക്കുന്ന നഷ്ടം തന്നുകൊള്ളാം.

Mr. I. Raman Menon.—In 1102, the breach had to be closed because by leaving it open you could not maintain the Kattuchira. There were two openings in the *chira* which were maintained by the Government, and the additional opening was

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also closed by the Panchayat, and the Panchayat claimed the amount and this was also refused and the usual amount was sanctioned by Government. The resolution before the Council is that the additional funds which have been sanctioned by Government should be appropriated to this work and to the question put by the Hon'ble Member for Vellarappalli Government have answered that the work is to be taken up this year and the usual maintenance of the *chira* will also be attended to by the Government. I do not think I have anything further to say in this matter.

Mr. O. R. Chummar.—I want a definite statement to be made whether a bund will be put up year after year.

Deputy President.—Government are not prepared to say.

Dr. A. R. Menon.—Sir, there has never been a question before this House of which, after listening for two hours, all the members understood so little of it. I do not mean to cast any reflection upon either the mover of the resolution or the representatives of the Government. But the matter seems to us so confusing and the method taken so very complicated that one does not know how to apply these methods of thinking and these curious methods of action on the part of the Government to enter into such a contract with certain parties and say that, if we open the sluice and if we open the bund, you should undertake to close it. They entered into a *kychit* and it was read in the Council. From what I could understand, the parties are not bound to undertake this work. I cannot understand why the Government should enter into such a contract for one year and create all these troubles in the next year or for a couple of years giving thereby unnecessary trouble to the parties concerned. Why should the Government enter into such a contract? Government know very well that the cultivation in this land was going on in 1101. It is expected that, if the present condition necessitated them to open the bund, the closing up will take place in 1102, 1103 and so many years more. If it is so, what is the justification on the part of the Government in dealing with these things and issuing an emergent order that the sluice must be undertaken, repairs must be performed and it must be maintained by Government? There is something behind all these. We would like to know what is behind all these. We have also pressed to undertake water works in other parts of Cochin State. So far as this resolution is concerned, I have nothing against the parties. Their position is correct

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execpt in only one point. That is, as I have observed before, in certain taluks representations made in this Council by the representatives were looked after in a better way by the Government. Similarly the only remark I would make is that, because this question was pressed by the Government, they undertook this work specially.

Mr. I. Raman Menon.—Not at all.

Dr. A. R. Menon.—I cannot understand how it is that in 1101 you entered into a contract for a specific year and in 1102 and 1103 you do not ask the parties to fulfil this contract. Why is it that it is only for one year? That is what I want.

Mr. I. Raman Menon.—The opening was made under special circumstances.

Dr. A. R. Menon.—What are these special circumstances?

Mr. I. Raman Menon.—Too much water in the fields.

Dr. A. R. Menon.—The paddy lands are still there and how is it that the contract was taken only for one year?

Mr. I. Raman Menon.—It is not expected that there will be water throughout the year and in all the years.

Dr. A. R. Menon.—No private agency would enter into such a voluntary contract as the Government have done. There are various principles to be followed in Cochin State where at times there is great scarcity for water and in case of minor irrigation works there is not a single village which is not in need of some help from the Government. I ask the Government "are you in a position to undertake all this work and give the necessary water for all who require it?". I say it is impossible for any Government to undertake this work. There is a principle involved in all these. If you dig a tank and if you put up a bund, the benefit of it only goes to a limited number of people. I cannot by any principle understand why the general public must contribute to the benefit of a few people. On the other hand, I am bound to confess that the Government have certain duties in the nature of protection of lands and also helping them in the matter of giving water. But the parties concerned must be made to pay a certain portion of the expenditure. If you do that, this complaint and the number of petitions that the Government receive almost daily for want of water will cease and the Government would be in a position only to undertake a few works because the people who apply to the Government

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for help will fully know that they will have to contribute for the same. Therefore, unless there is absolute necessity for help, they will not seek Government's aid. It comes only to half-anna for them to send a petition for water to the Director of Agriculture and also the Diwan, and these officers will be flooded with petitions. Now, Sir, there is also another point. What is there to prevent me from saying that favouritism is being shown to a certain part? I say Government are showing a sort of favouritism. Who is to deny that? I say Government's action was such that imputation of this nature was brought in all these matters. The Government must consider well before such a work is undertaken and they should not bring out arguments that, because A or B or C demanded such a work, it was undertaken. I want the Government to understand this principle. Apart from this I have nothing to do with this. I wish the Government should consider this properly and hope that it would not give us cause to repeat this protest in this House again.

Mr. N. Padmanabha Menon.—I oppose the resolution not on the ground that a new sluice should not be maintained by the Government but on the ground that the object aimed at by the mover has already been gained by the attitude shown in the answers given by the Superintendent of Agriculture and Panchayats. The new sluice—the 3rd sluice—is to be opened shortly and in the course of this debate I understand from the answers that it will be maintained by the Government. It is but reasonable. If that is not the attitude, when I make this assertion let them deny it. Now in this connection I have to say one word and that is the principal reason why I stood up to speak.

Mr. O. R. Chummar.—All these difficulties can be cleared. Only one statement is necessary.

Deputy President.—What do you say, Mr. Kasturi Ranga Ayyar?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I cannot say anything authoritatively.

Mr. N. Padmanabha Menon.—It seems to me from the answers given to the questions put by the Hon'ble Member for Vellarappalli and the speeches made in respect of this motion by the Superintendent of Agriculture and Panchayats that a situation has arisen on account of the mistaken views in the minds

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of both the parties. In 1102, I understand from the answer given that one of the interested parties happened to be the President of the Panchayat and therefore he thought that the responsibility he will have to incur by executing a fresh *kychit* can be shifted on to the shoulders of the Panchayat by making an application, that the Panchayat may be made to meet the expense. As one of the interested members, he is bound to execute a *kychit*. The interested members in opening this sluice thought that they could shift on the burden of maintenance to the shoulders of the Panchayat by diverting Panchayat money for maintaining it and to apply for sanction subsequently. Perhaps this may be the intention with which they acted. If not, there could not have been any application from the Panchayat to the Government for sanction to spend some money and the interested parties, had they not been members of that Panchayat, would have applied to the Government for a fresh *kychit* to be taken. That is how the situation has arisen and as the Government accorded sanction in 1101, as a matter of course the Government would have allowed them to execute a fresh *kychit*.

Mr. O. R. Chummar.—Was it opened in 1102?

Mr. N. Padmanabha Menon.—That is the point which has not been made clear. It is for those who know the facts to make me understand.

Mr. O. R. Chummar.—It was not opened by anybody. It was opened by the current only.

Mr. N. Padmanabha Menon.—Then I think the responsibility for not maintaining it must be on the shoulders of these interested parties as well as on the Government. The parties in shifting the burden from themselves to the shoulders of a corporate body also acted wrongly. Anyhow from the attitude of the Government it is clear that they are prepared to open a new sluice and as a natural course to maintain it out of Government funds. It is in the light of that conclusion that I have risen to oppose the resolution as there is no necessity for it.

Mr. O. R. Chummar.—The Superintendent of Agriculture and Panchayats may make a definite statement whether he will maintain it or not.

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Mr. M. K. Raman.—What is the object of the Government in opening a new sluice if it is not prepared to maintain it?

Deputy President.—If the Government make a sluice Government is expected to maintain it also.

Mr. N. Padmanabha Menon.—It is this attitude that makes us believe that there is something behind it.

Mr. O. R. Chummar.—May I ask the Superintendent of Agriculture and Panchayats whether it will be maintained by the Government?

Dr. A. R. Menon.—It won't be maintained by Government. It must be done by those who are benefitted by it and not by us. You cannot appropriate money for your favourites. Suppose I bring a charge against you, who is there to say "nay"?

Deputy President.—Shall I put it to votes?

Mr. N. Padmanabha Menon.—There is something yet to be cleared. We have not understood the present situation. We have not understood the attitude of the Government. They are neutral spectators. The Government by their silence complicates the issue.

Mr. M. K. Raman.—We do not know what position we should take up. How can we make up our minds without knowing whether the Government has made up its mind to maintain it out of public funds?

Mr. O. R. Chummar.—I shall explain matters. There are two sets of ryots there who will be affected by the sluice, i. e., those ryots to the north of Arippalam and those to the south. The ryots to the north of Arippalam are *Puncha* cultivators and Kattuchira is used for storing up fresh water for their benefit. The ryots to the south of Arippalam are not *Puncha* cultivators. They want only to have their fields clear of water. In Chingam the fields are to be cleared of water. That is all their necessity. They do not want fresh water and as a matter of fact before this Kattuchira was put up salt water was entering this land. Then they were very fertile. When this bund was put up the rice fields to the south of Arippalam began to suffer. By putting up this bund *Mundakan* crops, to the south of Arippalam, suffered from excess water, and the sluice in question is calculated to remove the evil of excess water. The *Puncha* cultivation also will not be affected, because, by the time the opening is closed, even if there are only two sluices, the water inside the bund will find the same level as that of the back-water. So by opening one more sluice the fresh water available for the *Puncha* cultivation will not be less. The only difference is that the back-water level will be reached at an earlier date. So the water available for *Puncha* cultivation will be the same whether there

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is an additional sluice or not. But with this sluice the *Mundakan* fields can be made free of water. *Mundakan* cultivators only want to remove this water. If this sluice will not be opened you can get hundreds of paras of paddy lands for Rs. 15 per para. The people are anxious to give up their lands. I know the instance of a well-to-do gentleman who became ruined by cultivating these fields and was even prepared to commit suicide. He was saved only when a charitable gentleman purchased his fields out of pity for him. I do not propose to give out that name. It is a name which will be familiar to you all.

Diwan Bahadur Dr. V. Verghese.—How many people are affected?

Mr. O. R. Chummar.—Hundreds of people. Further even if they are to be taxed that is quite another matter and I do not propose to discuss it now. My only point is that Government are constructing a sluice and it must be maintained year after year. Otherwise if it is left open always salt water will get in and *Mundakan* and *Puncha* cultivation will be destroyed.

Mr. M. K. Raman.—What made the Hon'ble Member think that it will not be maintained by Government?

Dr. A. R. Menon.—Government also thought as I thought. Opening up of a business will be done by us and the maintenance must be carried on by them because we have entered into a contract.

Mr. V. K. Aravindaksha Menon.—The mover of the resolution may be asked to explain as to what made him think that it will not be maintained by Government.

Mr. O. R. Chummar.—You are very reticent.

Dr. A. G. Menon.—I move that this may be put to the vote.

Mr. A. B. Salem.—I second it.

Deputy President.—The resolution before the House is that "this Council humbly recommends to the Government of His Highness the Maharaja of Cochin that the Government should carry out the work regarding the additional sluice to Kattuchira in Padiyur village, that the Government should maintain the sluice in future and that the Government should take immediate steps to prevent the ingress of salt water through the said sluice which is now lying open."

Put to the vote of the House and lost.

Mr. O. R. Chummar.—I want a poll, Sir.

For.

1 Mr. I. E. Ambooken 2 Mr. O. R. Chummar

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Against.

1	Dr. A. G. Menon	2	Mr. E. Ikkanda Wariar
3	Mr. N. Padmanabha Menon	4	,, K. S. Rama Ayyar
5	,, K. Raman Menon	6	Dr. A. R. Menon
		7	Mr. A. B. Salem

Neutrals.

1	Mr. C. Achyuta Menon	10	Mr. C. A. Kunjunni Raja
2	,, K. Achyuta Menon	11	Rao Sahib Mr. C. Matthai
3	,, V. K. Aravindaksha Menon	12	Mr. T. A. Ramachandra Ayyar
4	,, K. Govinda Menon	13	,, M. K. Raman
5	,, K. P. Karuppan	14	,, I. Raman Menon
6	Rao Sahib Mr. T. V. Kasturi Ranga Ayyar	15	,, Sheik Abdul Qadir Sahib Bahadur
7	Mr. S. S. Koder	16	,, V. B. Vaidyanatha Ayyar
8	,, T. K. Krishna Menon	17	,, A. K. Vengu Ayyar
9	,, K. Krishna Pisharoti	18	Diwan Bahadur Dr. V. Verghese

II. Representation of depressed classes in Village Panchayats.

Deputy President.—Next resolution stands in the name of Mr. K. T. Mathew who is absent. So it is considered as withdrawn.

The following resolution of Mr. K. T. Mathew, and the amendment of Mr. C. A. Ouseph to insert '25' instead of '50' were considered withdrawn since Mr. K. T. Mathew was absent:—

"This council recommends that in all Village Panchayats at least 50 per cent of the nominated seats be reserved for the so called depressed classes".

III. Pension of copyists retired and now in serviee.

Deputy President.—Next resolution is Mr. K. S. Rama Ayyar's.

Mr. K. S. Rama Ayyar.—Sir the resolution that I rise to move before the House runs as follows:—

(1) "A proportionate pension be given to those copyists who had retired from service without pension since 1087 and who are still living from the date of their retirement, failing which from the date of the passing of this resolution, and

(2) "A proportionate pension be also given to those non-pensionable copyists now in service, from the date of their retirement."

In moving this resolution I do not intend to say much. It is a plea for pension for a handful of people who were at one time placed under a disadvantage, viz., in the year 1087 when the copyist establishment was made permanent. I draw the attention of the House to my questions and the answers given by the Government yesterday morning. There you will find that the number that have retired without pension is 18 and that 7 have yet to retire on the same conditions. There you will also find how they got into the trouble. In the answer to question No. 91, there is reference to an undertaking given by most of these

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